

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Demarious Collins, on behalf of himself	)	
and all others similarly situated,	)	
	)	
Plaintiff,	)	<b>ORDER GRANTING JOINT</b>
	)	<b>MOTION FOR SETTLEMENT</b>
	)	<b>APPROVAL</b>
vs.	)	
	)	Case No. 3:18-cv-165
JB Railroad Contracting, Inc.,	)	
	)	
Defendant.	)	

Before the Court is the parties’ “Joint Motion for Final Approval of Settlement of Collective Action and Dismissing Action with Prejudice” filed on December 3, 2018. See Doc. No. 21. The parties jointly seek approval of a settlement resolving collective claims for travel time under the federal Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, et seq. The parties filed the Settlement Agreement and Release (“Settlement Agreement”) with the Court for review and approval. See Doc. No. 21-1. Settlement agreements to resolve FLSA claims typically require court approval. See 29 U.S.C. § 216; King v. Raineri Const., LLC, 2015 WL 631253, No. 4:14-cv-1828, \*2 (E.D. Mo. Feb. 12, 2015).

The Court has carefully reviewed the motion and the terms of the proposed settlement agreement and finds that it is the product of an arm’s-length negotiation between counsel, and it is a fair and reasonable resolution of a bona fide dispute. The Court further finds the attorneys’ fees, costs, and expenses requested in the motion are reasonable, and the service award payment requested in the motion is reasonable.

The parties shall administer the settlement as set forth in the Settlement Agreement. The case is certified as a collective action for settlement purposes only. The parties are authorized to send notices to send notices and issue payments pursuant to the terms of the settlement.

Accordingly, the Court **GRANTS** the parties' motion (Doc. No. 21), **APPROVES** the parties' Settlement Agreement in its entirety, and **ORDERS** the action be dismissed with prejudice, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

Dated this 5th day of December, 2018.

/s/ Daniel L. Hovland  
Daniel L. Hovland, Chief Judge  
United States District Court